

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

CSX TRANSPORTATION, INC.	)	Case No: 1:21-cv-02859-JMS-MJD
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
ZAYO GROUP, LLC,	)	
	)	
Defendant.	)	
_____	)	
	)	
ZAYO GROUP, LLC	)	
	)	
Defendant/Third Party Plaintiff,	)	
	)	
v.	)	
	)	
MILENIUM INC., and	)	
CROSSROADS COMMUNICATIONS	)	
SOLUTIONS, LLC, BASELINE	)	
COMMUNICATIONS, NXC, LLC, BSM	)	
GROUPS, LLC, JDH CONTRACTING, INC.,	)	
OCM ENGINEERING, INC., ON POINT	)	
CONSTRUCTION MANAGEMENT, INC.,	)	
PLB ENGINEERING, LLC, SPECTRUM	)	
ENGINEERING, LLC, and TESCO	)	
COMPANY, INC.,	)	
	)	
Third Party Defendants.	)	

**NOTICE OF WITHDRAWAL OF APPEARANCE**

Notice is given that the Appearance of Charles S. Smith is hereby withdrawn on behalf of Third Party Defendants OCM Engineering, Inc., On Point Construction, Inc. and PLB Engineering, LLC as Mr. Smith is no longer employed by Schultz & Pogue, LLP. John W. Mervilde, Stacey E. Everton and Kevin D. Lichtenberger shall remain attorneys of record on

behalf of Third Party Defendants OCM Engineering, Inc., On Point Construction, Inc. and PLB Engineering, LLC.

Respectfully submitted,

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Attorneys for Third Party Defendants  
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Construction Management, Inc., and  
PLB Engineering, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4<sup>th</sup> day of October, 2023 copy of the foregoing was filed electronically using the U.S. District Court's ECF filing system. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system:

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